

SCHLANGER LAW GROUP LLP

October 13, 2020

VIA ECF

## MEMO ENDORSED

Hon. Edgardo Ramos  
U.S. District Court – S.D.N.Y.  
40 Foley Square, Courtroom 619  
New York, NY 10007

**Re:** *Gerald Green v. Capital One, N.A., et al.*  
**Index:** 1:20-cv-04655-ER-KNF

Your Honor:

My office represents Plaintiff Gerald Green in the above-referenced matter.

We write on consent of Defendant Capital One, N.A. (the remaining Defendant in this action) to request a two-week extension to submit our opposition to the pending motion to dismiss and a related extension of two weeks for Defendant to serve their reply, if any. The reasons for this request are the press of other litigation-related deadlines and obligations as well as the recent departure from my firm of one of the lawyers assigned to this matter.

Defendant Capital One, N.A. filed a Motion to Dismiss on September 23, 2020 (Docket Entry No. 20). In its endorsement of the motion (Docket Entry No. 23), the Court directed Plaintiff to file his opposition on or before October 16, 2020 and Defendant to file its reply, if any, on or before October 23, 2020. As amended, Plaintiff's opposition to the motion to dismiss would be due on or before October 30, 2020 and Defendant's reply, if any, would be due November 6, 2020.

This is the first request for an extension of this deadline. Defendant does not object to the extension of the briefing schedule. The requested extension does not impact any other case deadlines. No further requests regarding this deadline are anticipated.

Respectfully,

/s/Evan S. Rothfarb

Evan S. Rothfarb

cc: all counsel of record

The plaintiff is directed to file his opposition by October 30, 2020 and the defendant's reply is due by November 6, 2020. SO ORDERED.



Edgardo Ramos, U.S.D.J  
Dated: 10/14/2020  
New York, New York